

REMARKS

Claims 1 through 20 remain in the application.

The Examiner has required restriction to one of the following inventions under 35 U.S.C. §

121:

Group I – Claims 1 through 15, drawn to a vehicle occupant sensing system, classified in class 340, subclass 667, class 701, subclass 45, and class 280, subclass 735

Group II – Claims 16 through 20, drawn to a vehicle seat assembly, classified in class 297, subclass 217.2

The Examiner has found that the inventions are distinct, each from the other, because the inventions of Groups I and II are related as product and process of use. The Examiner finds that the inventions are distinct because the product as claimed can be used in a materially different process of using that product. In particular, the Examiner finds that the vehicle occupant sensing system can also be used to enable or disable the ignition device of a car, depending on whether the seat is occupied or not, determining whether a child or an adult is seated in a vehicle seat, or activating an alarm and/or signal when an occupant leaves the seat.

Applicants respectfully traverse this restriction requirement.

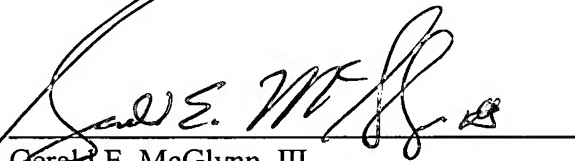
Applicants respectfully submit that the invention of Group I *and* Group II are both directed to a *product*. Neither is directed toward a process. The different uses for the vehicle occupant sensing system noted by the Examiner are irrelevant given that the claims are all directed toward a product, and no claims are directed to any process. Accordingly, applicants respectfully submit that the inventions of Groups I and II are not distinct such that the novelty of the subject invention could be determined by a single search of the prior art. For these reasons, applicants respectfully request reconsideration of the restriction requirement.

Furthermore, while they differ in scope, with the exception of the preambles of each claim, claim 1 is similar to claim 16. However, generally speaking, preambles do not limit claim scope. Accordingly, applicants respectfully submit that the inventions of Groups I and II are not materially distinct and respectfully request reconsideration of the restriction requirement.

Nevertheless, in reply to the Examiner's requirement, applicants *provisionally* elect to prosecute the invention of Group II, claims 16 through 20, drawn to the invention of a vehicle seat assembly.

Finally, it is respectfully submitted that the claims clearly distinguish over the prior art, and are therefore allowable, which allowance is respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Gerald E. McGlynn, III", is written over a horizontal line.

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